

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : SOKOLOV, Gary
SERIAL NO : 10/511,027
FILED : September 30, 2004
TITLE : GAME SYSTEM

Grp./A.U. : 3711
Examiner : COLLINS, Dolores, R.
Conf. No. : 8762
Docket No. : P06934US00

INFORMATION DISCLOSURE
AFTER MAILING DATE OF FINAL ACTION OR NOTICE OF ALLOWANCE
BUT BEFORE PAYMENT OF ISSUE FEE (37 C.F.R. § 1.97(d))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This information disclosure statement is being filed *after* a final action under § 1.113, or a notice of allowance under § 1.311, whichever occurs first, but before or simultaneously with, the payment of the issue fee.

Attached is Form PTO/SB/08A (formerly Form PTO-1449) listing the relevant art known to the applicant herein. A copy of the Japanese reference is enclosed. The Examiner is requested to consider the references and make them of record.

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CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

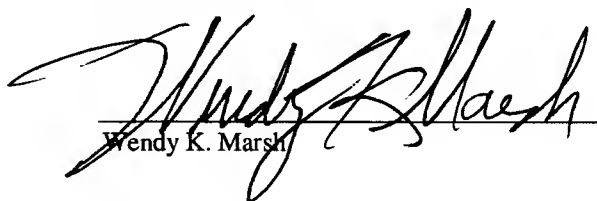
MAILING

☐ deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 12/9/08

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☒ transmitted by electronic/facsimile to the Patent and Trademark Office, Art Unit 3711 at Fax No. (571) 273-8300


Wendy K. Marsh

Japanese Patent Application 2003-583567 is the Japanese national phase equivalent of W003/086559 to the Mayontek Corporation, and the family members include US Application 10/511027. In an Examiner's Report dated September 30, 2008, the Japanese Examiner cited a new citation JP Sh07-17079Y(1932-17079) against JP 2003-583567. A copy of this new citation together with a verified English translation is enclosed.

Although the report has been dated September 20, 2008, the Australian agents did not receive the report until October 20, 2008 and an English translation of the cited document was received on the November 17, 2008.

It is the Applicant's opinion that the subject described in the new citation is not relevant to the patentability of the invention claimed in US 10/511027.

The invention described in the English translation has three discs, one fixed and two rotating concentric discs mounted thereon. Each disc has 52 regions; the outermost immobile disc have the numbers 1 to 52 on the regions; the middle rotating disc has clubs, diamonds and spades and the innermost rotating disc has the numbers 1 to 10 and letters J, Q and K thereon.

The described device is a novelty and is not suitable for commercial use. Unlike the claimed invention of US 10/511027, it is not limited to only 49 or 50 selectable regions each with playing card indicia, and the regions are not selectable by a single operation of the rotatable wheel. The device of the new citation requires two selection operations, the spinning of the middle disc and the spinning of the inner disc.

Applicant discloses herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose. Legible copies of all items listed in Forms PTO/SB/08A

and 08B (formerly Form PTO-1449) accompany this information statement, except those identified above.

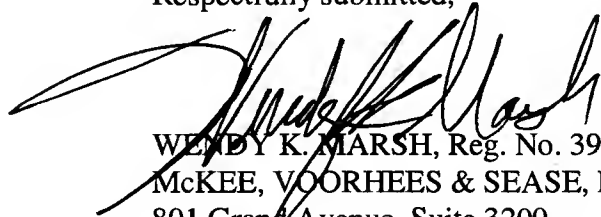
Applicant elects the option to pay the fee set forth in 37 C.F.R. sec 1.17(p) for submission of an information disclosure statement under § 1.97(c). Please charge Deposit Account No. 26-0084 in the amount of \$180.00.

Authorization is hereby made to charge any additional fees required by this paper or credit any overpayment to Deposit Account 26-0084.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. (Notice of January 9, 1992, 1135 O.G. 13-25, at 25.)

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Wendy K. Marsh", is written over the typed name and address.

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